

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHAEL MCGRATH,

Plaintiff,

vs.

No. CIV 14-0504 JB/SCY

CITY OF ALBUQUERQUE;
CITY PERSONNEL BOARD;
RICHARD BERRY, Mayor;
ROBERT PERRY, Chief
Administrative Officer;
BRUCE RIZZIERI, Transit Dept. Director; and
PAULA FORNEY, Attorney,

Defendants.

ORDER¹

THIS MATTER comes before the Court on the Opposed Motion to Dismiss, or in the alternative, Motion for Summary Judgment by the City of Albuquerque, Richard J. Berry, Robert Perry and Bruce Rizzieri, filed June 18, 2014 (Doc. 17)(“Motion”). The Court held a hearing on March 17, 2015. The Court will grant the Motion.

IT IS ORDERED that the Opposed Motion to Dismiss, or in the alternative, Motion for Summary Judgment by the City of Albuquerque, Richard J. Berry, Robert Perry and Bruce Rizzieri, filed June 18, 2014 (Doc. 17), is granted.


UNITED STATES DISTRICT JUDGE

¹This Order disposes of the Opposed Motion to Dismiss, or in the alternative, Motion for Summary Judgment by the City of Albuquerque, Richard J. Berry, Robert Perry and Bruce Rizzieri, filed June 18, 2014 (Doc. 17). The Court will, however, at a later date issue a memorandum opinion more fully detailing its rationale for this decision.

Counsel:

Paul Livingston
Placitas, New Mexico

Attorney for the Plaintiff

Rebecca E. Wardlaw
Managing Assistant City Attorney
Marie Legrand Miller
Melissa Marie Kountz
Samantha M. Hults
Assistant City Attorneys
Albuquerque, New Mexico

--and--

Stephen G. French
Paula I. Forney
Erika E. Anderson
French & Associates, P.C.
Albuquerque, New Mexico

Attorneys for Defendants City of Albuquerque, Richard Berry, Robert J. Perry, and Bruce Rizzieri

Debra J. Moulton
Deborah D. Wells
Kennedy, Moulton & Wells, P.C.
Albuquerque, New Mexico

Attorneys for Defendant City Personnel Board

Ada B. Priest
Una Campbell
Madison & Mroz, P.A.
Albuquerque, New Mexico

Attorneys for Defendant Paula Forney